

## DECLARATION FOR UTILITY PATENT APPLICATION

### AS A BELOW-NAMED INVENTORS, WE HEREBY DECLARE THAT:

Our residence, post office address, and citizenship are as stated below next to our names.

We believe we are the original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled: **POLYMORPHISMS FOR PREDICTING DISEASE AND TREATMENT OUTCOME** the specification of which is attached hereto unless the following box is checked:

was filed on **31 July 2003 (Int'l Filing Date)**, as United States Application Serial No. **10/522,664**.

WE HEREBY STATE THAT WE HAVE REVIEWED AND UNDERSTAND THE CONTENTS OF THE ABOVE-IDENTIFIED SPECIFICATION, INCLUDING THE CLAIMS, AS AMENDED BY ANY AMENDMENT REFERRED TO ABOVE.

We acknowledge the duty to disclose information which is material to the patentability as defined in 37 C.F.R. § 1.56.

We hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT International application which designated at least one country other than the United States listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed:

Application No.	Country	Date of Filing (day/month/year)	Priority Claimed?
PCT/US2003/024065		31 July 2003	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

We hereby claim benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

Application Serial No.	Filing Date
60/400,276	31 July 2002
60/400,253	31 July 2002
60/400,250	31 July 2002
60/400,249	31 July 2002

We hereby claim the benefit under 35 U.S.C. § 120 of the United States application(s), or § 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of

35 U.S.C. §112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

Application Serial No.	Filing Date	Status
		<input type="checkbox"/> Patented <input type="checkbox"/> Pending <input type="checkbox"/> Abandoned

We hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: 7/15/05

By:   
Name: Heinz-Josef LENZ

Residence: 2753 Winrock Avenue, Altadena, California 91001

Citizenship: Germany

Post Office Address: 2753 Winrock Avenue, Altadena, California 91001

Date: \_\_\_\_\_

By: \_\_\_\_\_  
Name: Jan STOEHLMACHER

Residence: 146 Melrose Avenue, Monrovia, California 91016

Citizenship: Germany

Post Office Address: 146 Melrose Avenue, Monrovia, California 91016

Date: 7/15/05

By:   
Name: David (Jong-Han) PARK

Residence: 17800 East Colima Road, #350, Rowland Heights, California 91748

Citizenship: United States of America

Post Office Address: 17800 East Colima Road, #350, Rowland Heights, California 91748

**POWER OF ATTORNEY**  
**By Assignee**

University of Southern California, assignee(s) of the application for United States Letters Patent for an improvement in

**POLYMORPHISMS FOR PREDICTING DISEASE AND TREATMENT OUTCOME**  
by: Heinz-Josef LENZ, Jan STOEHLMACHER and David (Jong-Han) PARK

the specification of which:

is filed herewith, OR  
 was filed as U.S. Patent Application Serial No. 10/522,664 with an international filing date of 31 July 2003

does hereby appoint as my attorneys and/or agents, with full power of substitution and revocation, to prosecute this application and transact all business in the United States Patent and Trademark Office, and in countries other than the United States, and to do all things necessary or appropriate therefor before any competent International Authorities in connection with any international patent application(s) corresponding to the above-identified application, all of the registered practitioners identified by:

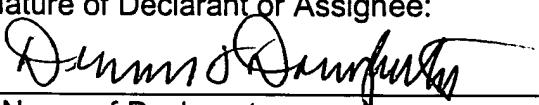
**Customer Number 23639**

Please direct all inquiries to **Antoinette F. Konski**, at the above Customer Number.

I, the undersigned, declare that I have reviewed copies of the documentary evidence establishing chain of title to the patent application identified above from the inventor(s) to the assignee(s), which:

is filed for recordation herewith; or  
 was recorded at Reel       , Frame       ; or  
 has been sent for recordation under separate cover, copy attached herewith.

To the best of the undersigned's knowledge and belief, title is in the assignee(s) identified above. Furthermore, the undersigned is empowered to sign this document on behalf of the assignee(s).

Full Name of Assignee: University of Southern California	
Post Office Address: 3716 South Hope Street, Suite 313, Los Angeles, CA 90007-4344	
Signature of Declarant or Assignee: 	Date: 7-25-05
Full Name of Declarant	
If Other Than Assignee: Dennis F. Dougherty	
Title of Declarant: Senior Vice President-Admin.	
Address of Declarant: 3716 South Hope Street, Suite 313, Los Angeles, CA 90007-4344	

10/522664

Applicant	Heinz-Josef LENZ et al.	Attorney Docket No.: US7000732001
Application No.:	10/522,664	
Int'l Filing Date:	July 31, 2003	
For:	POLYMORPHISMS FOR PREDICTING DISEASE AND TREATMENT OUTCOME	

**STATEMENT CLAIMING SMALL ENTITY STATUS**  
**(37 C.F.R. § 1.27(a)(3)(ii)(A)) – NONPROFIT ORGANIZATION**

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

Name of Nonprofit Organization: **UNIVERSITY OF SOUTHERN CALIFORNIA**

Address: of Nonprofit Organization: **3716 South Hope Street, Suite 313, Los Angeles, CA 90007-4344**

Type of Nonprofit Organization:

- University or other institution of higher learning
- Tax exempt under Internal Revenue Service Code
- Nonprofit scientific or educational under Statute of State of the United States of America  
 (Name of State: \_\_\_\_\_)  
 (Citation of Statute: \_\_\_\_\_)
- Would qualify as tax exempt under Internal Revenue Service Code  
 (26 U.S.C 501(a) and 501(c)(3) if located in the United States of America)
- Would qualify as Nonprofit scientific or educational under Statute of State of the  
 United States of America if located in the United States  
 (Name of State: \_\_\_\_\_)  
 (Citation of Statute: \_\_\_\_\_)

I hereby state that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 C.F.R 1.27(a)(3) for purposes of paying reduced fees to the United States Patent and Trademark Office regarding the invention described in:

- the specification filed herewith with title as listed above.
- the application identified above.
- the patent identified above.

I hereby state that rights under contract or law have been conveyed to and remain with the nonprofit organization regarding the above-identified invention. If the rights held by the nonprofit organization are not exclusive, each individual, concern, or organization having rights in the invention must file separate statements as to their status as small entities and that no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 C.F.R 1.27(a)(1) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 C.F.R 1.27(a)(2) or a nonprofit organization under 37 C.F.R 1.27(a)(3).

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate (37 C.F.R. § 1.27(g)(1)).

Name of person signing: **Dennis F. Dougherty**

Title in organization of person signing **Senior Vice President-Admin**

Address of person signing: **3716 South Hope Street, Suite 313, Los Angeles, CA 90007-4344**

Signature: Dennis F. Dougherty

Date 7-25-05

## DECLARATION FOR UTILITY PATENT APPLICATION

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Date:

100

By: \_\_\_\_\_

Name: Heinz-Josef LENZ

Residence: 2753 Winrock Avenue, Altadena, California 91001 CA

Citizenship: Germany

Post Office Address: 2753 Winrock Avenue, Altadena, California 91001

Date:

100

By: J. L. Lachow

Name: Jan STOEHLMACHER

Residence: 146 Melrose Avenue, Monrovia, California 91016

Citizenship: Germany

Post Office Address: 146 Melrose Avenue, Monrovia, California 91016 DEX

SCHUBERTSTR. 33, 01307 DRESDEN, GERMANY

Date:

200

By: \_\_\_\_\_

Name: David (Jong-Han) PARK

Residence: 17800 East Colima Road, #350, Rowland Heights, California 91748 CA

Citizenship: United States of America

Post Office Address: 17800 East Colima Road, #350, Rowland Heights, California 91748

ASSIGNMENT OF PATENT APPLICATION

WHEREAS, WE, **Heinz-Josef Lenz**, a citizen of Germany, **Jan Stoehlmacher**, a citizen of Germany, and **David (Jong-Han) Park**, a citizen of the United States of America, (hereinafter referred to as "ASSIGNORS"), have invented a certain invention entitled **POLYMORPHISMS FOR PREDICTING DISEASE AND TREATMENT OUTCOME** for which application for Letters Patent of the United States of America was filed with an international filing date of 31 July 2003, and assigned U.S. Application No. 10/522,664; and

WHEREAS, **University of Southern California**, having its place of business at **3716 South Hope Street, Suite 313, Los Angeles, California 90007-4344** (hereinafter referred to as "ASSIGNEE"), is desirous of acquiring the exclusive right, title and interest in, to and under said invention and in, to and under any Patent or similar legal protection to be obtained therefore in the United States of America, its territorial possessions and in any and all countries foreign thereto.

NOW, THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, ASSIGNORS hereby sell, assign, transfer and set over unto the said ASSIGNEE, its successors and assigns, the full and exclusive right, title and interest to said invention and to all Letters Patent or application or similar legal protection, not only in the United States and its territorial possessions, but in all countries foreign thereto to be obtained for said invention by said application, and to any continuation, division, renewal, substitute or reissue thereof or any legal equivalent thereof in the United States or a foreign country for the full term or terms for which the same may be granted, including all priority rights under the International Convention; and ASSIGNORS hereby authorize and request the United States Commissioner of Patents and Trademark and any officials of foreign countries whose duty it is to issue patents or any legal equivalent thereof to said ASSIGNEE, its successors and assigns, in accordance with this Agreement.

ASSIGNORS hereby covenant that no assignment, sale, agreement or encumbrance has been or will be made or entered into which would conflict with this Agreement.

ASSIGNORS further covenant that ASSIGNEE will, upon its request, be provided promptly with all pertinent facts and documents relating to said application, said invention and said Letters Patent and legal equivalents as may be known and accessible to ASSIGNORS and will testify as to the same in any interference or litigation related thereto and will promptly execute and deliver to ASSIGNEE or its legal representative any and all papers, instruments or affidavits required to apply for, obtain, maintain, issue and enforce said application, said invention and said Letters Patent and said equivalents in the United States or in any foreign country, which may be necessary or desirable to carry out the purpose thereof.

Date: 7/15/05

By:   
Heinz-Josef Lenz

Date: \_\_\_\_\_

By: \_\_\_\_\_  
Jan Stoehlmacher

Date: 7/15/05

By:   
David (Jong-Han) Park

ASSIGNMENT OF PATENT APPLICATION

WHEREAS, WE, **Heinz-Josef Lenz**, a citizen of Germany, **Jan Stoehlmacher**, a citizen of Germany, and **David (Jong-Han) Park**, a citizen of the United States of America, (hereinafter referred to as "ASSIGNORS"), have invented a certain invention entitled **POLYMORPHISMS FOR PREDICTING DISEASE AND TREATMENT OUTCOME** for which application for Letters Patent of the United States of America was filed with an international filing date of 31 July 2003, and assigned U.S. Application No. 10/522,664; and

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NOW, THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, ASSIGNORS hereby sell, assign, transfer and set over unto the said ASSIGNEE, its successors and assigns, the full and exclusive right, title and interest to said invention and to all Letters Patent or application or similar legal protection, not only in the United States and its territorial possessions, but in all countries foreign thereto to be obtained for said invention by said application, and to any continuation, division, renewal, substitute or reissue thereof or any legal equivalent thereof in the United States or a foreign country for the full term or terms for which the same may be granted, including all priority rights under the International Convention; and ASSIGNORS hereby authorize and request the United States Commissioner of Patents and Trademark and any officials of foreign countries whose duty it is to issue patents or any legal equivalent thereof to said ASSIGNEE, its successors and assigns, in accordance with this Agreement.

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Date: \_\_\_\_\_ By: \_\_\_\_\_  
Heinz-Josef Lenz

Date: 11-July-2005 By: J. Stoehmacher  
Jan Stoehmacher

Date: \_\_\_\_\_ By: \_\_\_\_\_  
David (Jong-Han) Park